

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LISA DeFRANK, *et al.*,

Plaintiffs,

v.

SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendant.

Case No. 19-cv-21401-KM-ESK

PRETRIAL SCHEDULING ORDER

THIS MATTER having come before the Court pursuant to Rule 16 of the Federal Rules of Civil Procedure, and the parties having reviewed the Court's Civil Case Management Order and Local Rules, and for good cause shown,

IT IS on this **8th** day of **December 2020** **ORDERED** that:

1. A telephone status conference is scheduled for **February 25, 2021 at 11:00 a.m.** before Magistrate Judge Edward S. Kiel. The dial in number is 1-888-684-8852 and access code is 310-0383#. The parties shall file a joint letter, at least three business days before the conference, advising of the status of discovery, any pending motions, and any other issues to be addressed.

2. The parties shall exchange the information required under Fed. R. Civ. P. 26(a)(1) by **January 8, 2021**.

3. Fact discovery is to remain open through **December 31, 2021**. All depositions of fact witnesses must be completed by the close of fact discovery. No fact discovery is to be issued or engaged in beyond that date, except for good cause shown.

4. Motions to add new parties, whether by amended or third-party complaint, and motions to amend pleadings (Motions to Amend) must be filed no later than **March 31, 2021**, unless a motion to dismiss is filed by defendant in response to the second amended complaint (ECF No. 66). If a motion to dismiss is filed, the time in which to file a Motion to Amend shall be within 90 days after the Court's ruling on defendant's motion to dismiss.

5. The parties may serve initial written discovery requests on or before **January 15, 2021**. Interrogatories shall be limited to **25** single questions, inclusive of subparts.

6. The number of depositions to be taken by each side shall not exceed **15**.

7. The parties are directed to Rule 26(f) and Local Rule 26.1, which address preservation of discoverable information, discovery of electronically stored information, claims of privilege or work product protection, and the obligations of counsel concerning their clients' information management systems.

8. The parties are directed to the Court's Civil Case Management Order for procedures concerning discovery disputes, motion practice, and requests for extensions and adjournments.

9. Plaintiffs' expert reports shall be served by **February 28, 2022**. All Defendant's expert reports shall be served by **April 29, 2022**. Depositions of all experts shall be completed by **July 29, 2022**. All expert reports shall comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert may testify at trial as to any opinions or facts not substantially disclosed in the expert's report.

10. Proposed confidentiality orders, submitted upon the consent of the parties, must comply with Rule 26(c), Local Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.

11. A briefing schedule on plaintiffs' motion for class certification shall be addressed at a future status conference.

/s/ Edward S. Kiel
EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE